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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,247	01/21/2004	Kia Silverbrook	RRA09US	1573

24011 7590 04/05/2007  
SILVERBROOK RESEARCH PTY LTD  
393 DARLING STREET  
BALMAIN, 2041  
AUSTRALIA

EXAMINER
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GARCIA JR, RENE

ART UNIT	PAPER NUMBER
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2853

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/05/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/760,247

Applicant(s)

SILVERBROOK, KIA

Examiner

Rene Garcia, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 15 February 2007 has been entered.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Silverbrook (US 6,318,920).

#### **Silverbrook discloses the following claimed limitations:**

\*regarding claims 1 & 9, printer cartridge (fig. 3 – made up of chasis/10/ and printhead assembly/11/; col. 4, lines 35-42) for an inkjet printer having a print engine controller/microcontroller, 25/ (col. 4, line 63), a paper feed mechanism (col. 4, lines 44-49) and a paper path/along exit slot, 19/ (col. 4, lines 43-45), the printer cartridge comprising: (figs. 2,3)

\*body/print chips,27/ configured for user insertion in and removal from the inkjet printer (col. 1, lines 36-42; col. 4, lines 64-65)

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\*printing fluid storage/**ink ducts, 40/** (fig. 6, 11; col. 5, lines 24-40 – ink is in ink ducts/40/ [storage] when going between nozzles/30/ and ink cassette/93/; ink is in conduits between printing operations thus stored for an unspecified time)

\*printhead/**print chip, 27/** in fluid communication with the printing fluid storage/**ink ducts, 40/** (fig. 6-11; col. 5, lines 24-39; see also col. 5, line 63 – col. 6, line 61)

\*electrical contacts for transmitting data and power to the printhead (col. 5, lines 3-7; fig. 7 – print chip/27/ connected to tab film/28/)

\*printing fluid blotter/**blotting portion, 81/** (fig. 23 & 24; col. 8, lines 2-27) arranged to blot the printhead (col. 8, lines 34 – 43)

\*printhead is positioned adjacent the paper path and the electrical contacts establish an electrical connection with the print engine controller (col. 4, lines 44-49; fig. 3)

\*regarding claim 2, printing fluid storage/40/ and the printhead/27/ are fast with a body/10/ of the printer cartridge (fig. 3, 6-8; col. 4, lines 53-65)

\*printing fluid blotter/81/ is coupled to the body/10/ (fig. 3, 20-25; col. 8, line 44- col. 9, line 17; blotter/81/ is part of platen member/14/)

\*regarding claim 3, printing fluid blotter/81/ includes engagement assembly to engage an assembly for selectively bringing the printing fluid blotter/81/ into cooperation with the printhead/27 (fig. 23 & 24; col. 8, lines 55-67)

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\*regarding claim 4, printing fluid blotter/**81**/ includes an absorptive material/**82**/ (col. 8, lines 40-43) arranged to absorb printing fluid ejected from the printhead/**27**/ while not printing to a print medium (col. 8, lines 34-39)

\*regarding claim 5, printing fluid blotter/**81**/ is rotationally (col. 8, lines 63-67; lines 12-18) coupled to the body

\*regarding claim 6, printing fluid blotter/**81**/ is also slidingly coupled to the body

\*regarding claim 7, printhead/**27**/ comprises a pagewidth printhead (col. 1, lines 35; there are a plurality of print chip/**27**/ that make up printhead; col. 4, lines 64-66)

\* blotter/**81**/ extends along the pagewidth printhead/**27**/ (col. 8, lines 19-21; blotter is part of platen/**14**/)

\*regarding claim 8, printer cartridge for removable installation within an inkjet printer having a print engine controller/**microcontroller, 25**/ (col. 4, line 63), a paper feed mechanism (col. 4, lines 44-49) and a paper path/**along exit slot, 19**/ (col. 4, lines 43-45), the printer cartridge comprising: (figs. 2,3)

\*body containing at least one printing fluid storage reservoir **/ink ducts, 40/** (fig. 6, 11; col. 5, lines 24-40 – ink is in ink ducts/**40**/ [storage; has six ducts] when going between nozzles/**30**/ and ink cassette/**93**/; ink is in conduits between printing operations thus stored for an unspecified time)

\*printhead attached to the body and in fluid communication with the at least one printing fluid reservoir (fig. 3, 6-8; col. 4, lines 53-65; in fluid communication with 6 ink ducts)

\* printing fluid blotter/81/ rotatably coupled to the body/10/ (fig. 3, 20-25; col. 8, lines 63-67; lines 12-18; blotter/81/ is part of platen member/14/)

\*electrical contacts for transmitting data and power to the printhead (col. 5, lines 3-7; fig. 7 – print chip/27/ connected to tab film/28/)

\*engagement assembly (col. 8, lines 13-17; lines 34-42) located on the printing fluid blotter/81/ to engage an assembly for selectively causing cooperation of the printing fluid blotter/81/ with the printhead

\*printhead is positioned adjacent the paper path and the electrical contacts establish an electrical connection with the print engine controller (col. 4, lines 44-49; fig. 3)

\*further regarding claim 9, printhead/27/ comprises a pagewidth printhead (col. 1, lines 35; there are a plurality of print chip/27/ that make up printhead; col. 4, lines 64-66)

\* blotter/81/ extends along the pagewidth printhead/27/ (col. 8, lines 19-21; blotter is part of platen/14/)

### ***Response to Arguments***

4. Applicant's arguments filed 21 December 2006, as pertaining to RCE Filed 15 February 2007, have been fully considered but they are not persuasive.

5. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., cartridge is removable from the printer) are not recited in the rejected claim(s). Although the claims are

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interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

6. Claim limitations of claims 1 & 9 provide for a printer cartridge comprising “a body configured for user insertion in and removal from the inkjet printer.” However the limitations never recite(s) limitations that would limit the cartridge as being removable. Only that the cartridge has a body that is removable, therefore the print chips/27/ teaches the limitation. Since the print chips/27/ are replaceable/removable & insertable/ for the purpose of replacing defective modules (col. 1, lines 36-42).


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*Communications with the USPTO*

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rene Garcia, Jr. whose telephone number is (571) 272-5980. The examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Rene Garcia Jr  
03/07

  
**STEPHEN MEIER**  
**SUPERVISORY PATENT EXAMINER**